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SYRIA MDI

The Aqueduct Construction Agency in Italian East Africa

SO 671 312 473

This agency was set up by the law of 1939 to construct, maintain and use water conduits and to set up other operations relating to the water supply and sanitation facilities of population centers. Several banks were members of this body, and an annual government contribution of 20,000,000 lire was provided. Another decree of the same date approved the constitution of this organization.

SYRIA

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Syrian water legislation has followed the same evolution as that of Lebanon. During the period of the Ottoman Empire, the articles of the Mejelle Code governed waters. Under the period of the French mandate, the two orders concerning public domain - No. 144/S dated 10 June 1925 and No. 320/S dated 26 May 1926, as well as Legislative Decree No. 288 dated 28 November 1942 which amended Article 25 of No. 320/S - both applied to Syria and Lebanon. These two decrees are still in force in Syria and have already been analyzed in the section of this paper relating to Lebanon. Since Syria became completely independent, however, two new legislative decrees have partially amended or repealed a few articles of the preceding rules concerning water.

New Code of Liabilities

S 671 312 681

This new code of liabilities, enacted by Legislative Decree No. 148 dated 22 June 1949, stipulates, in Articles 731 to 735, penalties for infraction of clauses on water and has supplemented the above-mentioned order No. 144/S. These articles state:

"Imprisonment not exceeding one year or a fine up to 250 Syrian pounds, or both, is inflicted upon any person who, without special authorization, commits the following:

1. "the exploitation of underground water or artesian wells, unless it is intended to dig new wells on private property to a depth less than 150 meters;

2. "the execution of any excavations near water canal borders or any drainage systems at a distance less than

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the depth of those excavations, in any case at a distance less than three metres;

3. "the taking of any stones, earth, sand, trees, shrubs or plants from river banks, from permanent or temporary canals or from lakes, ponds or swamps;

4. "the planting of trees or seeds or the placing of anything on the shores of lakes, ponds or swamps, on permanent or temporary canal banks, on passages in between, on any drainage systems or on any authorized, constructed public utility pipes;

5. "the infraction of any sort on the shore of any water source, on permanent or temporary river canals, on swamps, ponds or lakes, on the river canal borders or on public utility drainage pipes;

6. "the prevention of the free flowing of public water;

7. "any permanent or temporary action affecting the quantity and flowing capacity of water (Article 731).

"Any person who, without authorization, organizes new permanent or temporary water canals, or deepens or fills in those already in existence shall be fined according to the provisions or the previous article (Article 732).

"Two years in prison and a fine of 250 Syrian pounds are imposed on any person who destroys or converts all or any of the permanent water establishments with the intent of benefiting from these public waters (Article 733).

"The same fine is imposed on any person who:

1. "throws into any authorized water canal any liquids or materials harmful to public health or the free flowing of the water;

2. "spreads animal manure on any of the land situated within the area delimited by the government for the safeguarding of any water source;

3. "causes any destructive action such as dirtying water sources used for drinking (Article 734).

"Anyone who intentionally dirties any drinking water source is to be imprisoned for from one to three years and shall pay a fine of from 25 to 300 Syrian pounds" (Article 735). 671 312 681

New Taxation on Irrigated Lands

A new legislative decree, No. 34 dated 30 December 1951, amends Articles 2, 3, 4, 6 and 8 of law No. 467 dated 21 February 1949 which imposed an annual tax on land irrigated by state irrigation systems. The new decree reads as follows: 312 681

"This tax is applied per hectare in the following manner:

Area of Irrigated Land	Khabour Gharib and Senn Irrigation System	Homs and Hama Irrigation System	Hakh Irrigation System
	L.S.	L.S.	L.S.
Up to 5 hectares	20	15	5
From 5 to 25 hectares	25	20	7.5
From 25 to 50 hectares	40	30	10
Over 50 hectares	50	40	15

"Such tax shall be reduced by half after a lapse of ten years from its first year of application.

"It should be calculated on the whole area held by the taxpayer, whether individually or in partnership with others, with reference to the land irrigated by one and the same irrigation system. The tax on a fraction of a hectare shall be proportionate to the tax on a whole hectare.

"The tax shall take effect on the first day of the year following the year in which the water is brought to the land subject to the tax, even though such water has not been used.

"The term 'Engineer-in-Chief of the region' in Article 8 of Law No. 467 shall be replaced by 'Engineer-in-chief of the hydraulics service of the region' (Article 2).

"The following paragraph is added to Article 6 of Law 467: